



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
ALLIED IRISH BANKS, p.l.c.,

Plaintiff,

v.

BANK OF AMERICA, N.A. and  
CITIBANK, N.A.,

Defendants.

----- X  
BANK OF AMERICA, N.A. and CITIBANK, N.A.,

Counterclaim and Third-Party Plaintiffs,

v.

ALLIED IRISH BANKS, p.l.c.,

Counterclaim-Defendant,

and

M&T BANK CORPORATION and MANUFACTURERS  
AND TRADERS TRUST COMPANY,

Third-Party Defendants.  
----- X

No. 03 Civ. 3748 (DAB) (GWG)

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff/Counterclaim Defendant AIB ("AIB"), Defendant/Third-Party Plaintiff Bank of America, N.A. ("BofA"), and Third-Party Defendants M&T Bank Corporation and Manufacturers and Traders Trust Company (the "M&T Parties"), through their respective counsel of record, that (1) AIB's claims against BofA in the above-captioned action, (2) BofA's

counterclaims against AIB in the above-captioned action and (3) BofA's third-party claims against the M&T Parties in the above-captioned action are hereby dismissed on the merits and in their entirety with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, without award of costs, expenses or attorneys' fees to either party.

Dated: January 24, 2012

COOLEY LLP

By: Jeffrey W. Lang

Alan Levine  
Ian Shapiro  
Jeffrey W. Lang

1114 Avenue of the Americas  
New York, NY 10036  
Phone: (212) 479-6000

*Attorneys for Plaintiff and Counterclaim Defendant  
Allied Irish Banks, p.l.c. and Third-Party  
Defendants M&T Bank Corporation and  
Manufacturers and Traders Trust Company*

Dated: January 24, 2012

MAYER BROWN LLP

By: Henninger S. Bullock

Richard A. Spehr  
Henninger S. Bullock  
Therese Craparo

1675 Broadway  
New York, New York 10019  
Phone: (212) 506-2500

*Attorneys for Defendant and Counterclaim and  
Third-Party Plaintiff Bank of America, N.A.*

SO ORDERED

Deborah A. Batts

DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE

01/25/12